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MYERS BIGEL SIBLEY & SAJOVEC, P.A. P.O. BOX 37428 RALEIGH, NC 27627				
			EXAMINER	
			NGUYEN, TU X	
			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/767,186

Applicant(s)

SLEMMER ET AL.

Examiner

Tu X. Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/24/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 6/24/04 was being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-12, 14-16, 18-20, 34-45, are rejected under 35 U.S.C. 102(e) as being anticipated by Huh et al. (US Publication.2003/0008680).

Regarding claim 1, Huh et al. disclose a messaging interface for an interactive pager, comprising:

a housing (see par.010, "a docking station" corresponds to "a housing");

a message processing circuit located within the housing (see par.0035, microprocessor 328 provides multiple functions for audio and data signals);

a user interface located (see fig.1B, par.041) at least partly within the housing that is configured to convey a message that is associated with a text message between a user of the interactive pager and the message processing circuit (see par.0037 lines 1-4, par.0110); and

a communications circuit (see par.054) that is coupled to the message processing circuit (see fig.3 elements 320, 338, 328) and that is configured to convey the text message between the message processing circuit and the interactive pager (see par.037 lines 1-4).

Regarding claim 2, Huh et al. disclose the user interface comprises a keypad (see par.041).

Regarding claim 4, Huh et al. disclose the user interface comprises a microphone (see par.070, lines 6-7), the message comprises an audio message received via the microphone (see par.070 lines 8-9), and the message processing circuit includes a voice recognition circuit that is configured to convert the audio message into the text message (see par.079, 0110).

Regarding claim 5, Huh et al. disclose a memory storage device located within the housing that stores a plurality of pre-defined text messages and the audio message comprises a command that selects one of the plurality of pre-defined text messages (see par.079, lines 13-14).

Regarding claim 6, Huh et al. disclose the user interface comprises a speaker and an associated driving circuit and the message processing circuit comprises a voice synthesis circuit that is configured to convert the text message into an electronic signal that is played through the speaker (see par.073-74, the CODEC to cod/decode signals passing via the multiplex corresponds to voice synthesis circuit to convert the text to speech data).

Regarding claim 7, Huh et al. disclose the speaker is part of an automobile stereo system (see par.055 lines 17-18, the automobile audio system is inherently a stereo system with speakers 336).

Regarding claim 8, Huh et al. disclose a docking cradle (see par.038, "pocket" is a device holding the mobile telephone corresponds to "a docking cradle"), and wherein the communications circuit comprises a communications port (see par.039, "electrical connector" corresponds to "communications port").

Regarding claim 9, Huh et al. disclose the messaging interface is powered via an external power supply (see par.049, lines 13-14).

Regarding claim 10, Huh et al. disclose a power supply located within the housing (see par.049, lines 12-13, "DC to DC power convertor 332" corresponds to "a power supply located within the housing").

Regarding claim 11, Huh et al. disclose a memory storage device located within the housing that is configured to store a plurality of pre-defined text messages (see par.079, lines 12-14, the docking station support voice recognition, which is a pre-program text messages).

Regarding claim 12, Huh et al. disclose at least some of the plurality of pre-defined text messages comprise pre-defined messages that are specified by the user of the interactive pager (par.079, lines 15-19, par.082 lines 15-24, par.096 lines 4-10, the application programming interface of the docking station translates and retrieve predefined messages from the voice recognition capability mobile phone internal memory).

Regarding claim 14, Huh et al. disclose the housing includes a docking cradle that is configured to mate with the interactive pager (see par.063 lines 11-12, par.).

Regarding claim 15, Huh et al. disclose a messaging interface for an interactive pager, comprising:

a housing (see par.010, "a docking station" corresponds to "a housing");

a microphone located within the housing (see par.070, lines 6-7);

a voice recognition circuit (see par.080, lines 1-4) located within the housing that is configured to convert an audio signal received by the microphone into a text message; and a communications circuit in the housing that is configured to forward the text message from the voice recognition circuit to the interactive pager (see par.0037 lines 1-4, par.0110).

Regarding claim 16, Huh et al. disclose a memory storage device located within the housing that stores a plurality of pre-defined text messages (see par.0079 lines 14-17), wherein at least some of the plurality of pre-defined messages are forwarded to the interactive pager in response to a voice command (see par.0110).

Regarding claim 18, Huh et al. disclose a speaker and a voice synthesis circuit that is configured to convert a text message received by the interactive pager into an electronic signal that is played through the speaker (see par.073-74, the CODEC to cod/decode signals passing via the multiplex corresponds to voice synthesis circuit to convert the text to speech data).

Regarding claim 19, Huh et al. disclose the housing includes a docking cradle that is configured to mate with the interactive pager (see par.038), and wherein the communications circuit (see par.054) comprises a communications port (see par.039, "electrical connector" corresponds to "communications port").

Regarding claim 20, Huh et al. disclose a connection that draws power from a DC power source in an automobile (see par.049, lines 13-14).

Regarding claim 34, Huh et al. disclose a messaging interface for an interactive pager, comprising:

a housing (see par.010, "a docking station" corresponds to "a housing");

a voice synthesis circuit located within the housing that is configured to convert a text message into an audio signal (see par.073-74, the CODEC to cod/decode signals passing via the multiplex corresponds to voice synthesis circuit to convert the text to speech data);

a speaker responsive to the voice synthesis circuit (see par.077); and

a communications circuit (see par.080, lines 1-4), located at least partly within the housing, that is coupled to the voice synthesis circuit and that is configured to forward the text message from the interactive pager to the voice synthesis circuit (see par.0037 lines 1-4, par.0110).

Regarding claim 35, Huh et al. disclose the speaker is part of an automobile stereo system (see par.055 lines 17-18, the automobile audio system is inherently a stereo system with speakers 336).

Regarding claim 36, Huh et al. disclose a microphone and a voice recognition circuit that is configured to convert an audio signal input via the microphone (see par.082, lines 12-14) into a second text message (see par.082 lines 15-19 "translate into a signal consist of the digits of the telephone number" corresponds to "a second text message"), and wherein the communications circuit is further configured to forward the second text message provided by the voice recognition circuit to the interactive pager (see par.0110).

Regarding claim 37, Huh et al. disclose the messaging interface further includes a memory storage device located within the housing that stores a plurality of pre-defined text messages (see par.079 lines 14-19), and wherein the voice recognition circuit is configured to forward one of the plurality of pre-defined messages to the interactive pager in response to the audio signal input via the microphone (see par.0110).

Regarding claim 38, Huh et al. disclose the voice synthesis circuit is configured to play back a message input via the microphone before the message input via the microphone is forwarded as a text message to the interactive pager (see par.083, the voice command was previously recorded in the docking station and output to the speaker immediately without further text to speech translation reads on "before the message is forwarded to the interactive pager).

Regarding claim 40, Huh et al. disclose a method of responding to a text message, the method comprising:

receiving the text message on an interactive pager (see par.082 lines 20-24, the docking station receives data from the mobile telephone internal memory);

accepting a command at an external messaging interface for the interactive pager (see par.080, the docking station receives spoken command from the user); selecting from a plurality of pre-defined text messages stored in a memory storage device resident on the external messaging interface a pre-defined text message that corresponds to the entered command (see par.082 lines 1-9, the docking station receives the spoken command from the user and the microprocessor in the docking station to compare and match with the previous record words from the user);

forwarding the selected pre-defined text message from the memory storage device to the interactive pager (see par.082 lines 11-19, the mobile phone performs a command from the docking station); and

transmitting from the interactive pager the selected pre-defined text message as a response to the text message (see par.0110, the mobile telephone performs a command from

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the docking station such as dialing a telephone number or send/receive email to the external wireless network).

Regarding claim 41, Huh et al. disclose entering a command into an external messaging interface for the interactive pager comprises stating the command into a microphone associated with the external messaging interface (see par.079).

Regarding claim 42, Huh et al. disclose selecting from the plurality of pre-defined text messages a pre-defined text message that corresponds to the entered command comprises comparing an audio signal associated with the entered command to a plurality of pre-stored signals, selecting the pre-stored signal that has a highest degree of correlation with the audio signal, and selecting the pre-defined text message that is associated with the selected pre-stored signal (see par.0082, "finding a match" corresponds to "selecting the pre-stored signal that has a highest degree of correlation").

Regarding claim 43, Huh et al. disclose entering a command into an external messaging interface for the interactive pager comprises selecting a button provided on the external messaging interface (see par.080 lines 25-28).

Regarding claim 44, Huh et al. disclose notifying a user of the interactive pager that the text message has been received (see par.0110).

Regarding claim 45, Huh et al. disclose a method of outputting a text message received on an interactive pager to a user of the interactive pager, the method comprising:

receiving the text message on the interactive pager (see par.082 lines 20-24, the docking station receives data from the mobile telephone internal memory);

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forwarding the received text message over a communications link to an external messaging interface (see par.082 lines 20-23);

using a voice synthesis circuit resident on the external messaging interface to convert the received text message into an electronic signal (see par.073-74, the CODEC to cod/decode signals passing via the multiplex corresponds to voice synthesis circuit to convert the text to speech data); and

sending the electronic signal to a speaker that outputs the electronic signal as an audio message (see par.055).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 13, 17, 21-24, 27, 29-33 and 39, are rejected under 35 U.S.C. 103(a) as being obvious over Huh et al. (US Publication.2003/0008680) in view of Selleck (US Pub. 2004/0097195).

Regarding claims 3, 17 and 39, Huh et al teaching a docking station supports voice recognition for vehicle hand-free operation; however, Huh et al. fail to specifically disclose a plurality of keys that are associated with at least some of the plurality of pre-defined text messages.

In the related art, a command terminal having attached communication devices and voice recognition capability, Selleck discloses a plurality of keys that are associated with at least some of the plurality of pre-defined text messages (see par.0107). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Huh et al. with "one-click" messaging buttons teaching of Selleck in order to provide messages that most users used for communication, so that ease of user operation not to spend time to program every single message and program function with "one-click" messaging buttons.

Regarding claim 13, Huh et al teaching a docking station supports voice recognition for vehicle hand-free operation; however, Huh et al. fail to specifically disclose at least some of the plurality of pre-defined text messages comprise factory pre-set pre-defined messages.

In the related art, a command terminal having attached communication devices and voice recognition capability, Selleck discloses at least some of the plurality of pre-defined text messages comprise factory pre-set pre-defined messages (see par.0107). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Huh et al. with a pre-manufactured text messages" teaching of Selleck in order to provide messages that most users used for communication, so that ease of user operation not to spend time to program every single message.

Regarding claim 21, Huh et al. disclose a messaging interface for an interactive pager, comprising:

a housing (see par.010, "a docking station" corresponds to "a housing");

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a memory storage device within the housing, the memory storage device containing a plurality of pre-defined text messages (see par.079, lines 13-14);

a plurality of user selectable indicia provided on the housing (see par.041, "buttons" corresponds to "indicia").

a communications circuit (see par.054) configured to forward one of the plurality of pre-defined text messages (see par.079, lines 13-14) from the messaging interface to the interactive pager (see par.037, lines 1-5) in response to the selection of one of the plurality of user selectable indicia (see par.0110).

Huh et al teaching a docking station supports voice recognition for vehicle hand-free operation; however, Huh et al. fail to specifically disclose a respective one of which is associated with a respective one of the plurality of pre-defined text messages.

In the related art, a command terminal having attached communication devices and voice recognition capability, Selleck discloses a respective one of which is associated with a respective one of the plurality of pre-defined text messages (see par.0107). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Huh et al. with "one-click" messaging buttons teaching of Selleck in order to provide messages that most users used for communication, so that ease of user operation not to spend time to program every single message and program function with "one-click" messaging buttons.

Regarding claim 22, Huh et al. and Selleck disclose the plurality of user selectable indicia comprise a plurality of buttons (see Selleck, par.0107).

Regarding claim 23, Huh et al. and Selleck disclose at least some of the plurality of buttons are shaped differently than other of the plurality of buttons (see Huh et al. fig.1B, elements 142a-142d).

Regarding claim 24, Huh et al. and Selleck disclose the top surface of at least some of the plurality of buttons are configured differently than the top surface of other of the plurality of buttons (see Selleck, par.0106).

Regarding claim 27, Huh et al. and Selleck disclose one of the plurality of user selectable indicia activates a SEND command (see Selleck, fig.1, elements 22).

Regarding claim 29, Huh et al. and Selleck disclose a microphone and a voice recognition circuit that is configured to convert an audio signal input via the microphone into a text message, and wherein the communications circuit is further configured to forward the text message provided by the voice recognition circuit to the interactive pager (see Huh et al., par.0037 lines 1-4, par.0110).

Regarding claim 30, Huh et al. and Selleck disclose the text message provided by the voice recognition circuit may comprise one of the plurality of pre-defined text messages (see Huh et al., par.0079 lines 14-17).

Regarding claim 31, Huh et al. and Selleck disclose a speaker and a voice synthesis circuit that is configured to convert a text message received by the interactive pager into an electronic signal that is played through the speaker (see Huh et al., par.073-74, the CODEC to cod/decode signals passing via the multiplex corresponds to voice synthesis circuit to convert the text to speech data).

Regarding claim 32, Huh et al. and Selleck disclose at least one of the plurality of buttons may be used to cause the voice synthesis circuit to output through the speaker a synthesized voice signal that reads identifying information associated with a received text message (see Selleck, par.0107).

Regarding claim 33, Huh et al. and Selleck disclose housing includes a docking cradle that is configured to mate with the interactive pager, and wherein the communications circuit comprises a communications port (see Huh et al., par.038-039).

Claims 25-26, are rejected under 35 U.S.C. 103(a) as being obvious over Huh et al. (US Publication.2003/0008680) in view of Selleck (US Pub. 2004/0097195) further in view of Kashiura et al. (US Pub. 2005/0051704).

Regarding claim 25, the combined Huh et al. and Selleck teaching a docking station for use in wireless communication in a vehicle; however, the combined Huh et al. and Selleck fails to disclose a backlight that illuminates one or more of the plurality of buttons.

In the related art, a semiconductor photosensor circuit provides brightness for key operation of a communication device, Kashiura disclose a backlight that illuminates one or more of the plurality of buttons (see par.005). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Huh et al. and Selleck with embedded LED backlight for user's operation keys teaching of Kashiura in order to provide brightness for operation buttons, so that the user can operate the docking station during night time.

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Regarding claim 26, the combined Huh et al., Selleck and Kashiura discloses the messaging interface further comprises a photo detector (see Kashiura, par.005, lines 1-2), and wherein the backlight is responsive to a signal from the photo detector (see Kashiura, par.005 lines 3-5).

Claim 28 is rejected under 35 U.S.C. 103(a) as being obvious over Huh et al. (US Publication.2003/0008680) in view of Selleck (US Pub. 2004/0097195) further in view of Motoyama et al. (US Patent 6,690,362).

Regarding claim 28, the combined Huh et al. and Selleck teaching the user presses the key twice for a desired function (as taught by Selleck, see par.102); however, the combined Huh et al. and Selleck fails to specifically disclose repeatedly within a predetermined time period.

In the related art, the same key was pressed twice within a predetermined period providing different key code, Motoyama et al. disclose repeatedly within a predetermined time period (see col.10 lines 61-63). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Huh et al. and Selleck with the same key was pressed twice within a predetermined period providing different key code teaching of Motoyama et al. in order to provide a desired key code so that the device respond differently on a key being pressed once or twice.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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